

PLANNING COMMISSION MINUTES

July 30, 2003

CALL TO ORDER:

Chairman Bob Barnard called the meeting to order at 7:04 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL:

Present were Chairman Bob Barnard, Planning Commissioners Gary Bliss, Eric Johansen, Dan Maks, Shannon Pogue; and Scott Winter. Planning Commissioner Vlad Voytilla was excused.

Development Services Manager Steven Sparks, AICP; Senior Planner Barbara Fryer; Associate Planner Suzanne Carey; Assistant City Attorney Ted Naemura; and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Barnard, who presented the format for the meeting.

VISITORS:

Chairman Barnard asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

STAFF COMMUNICATION:

Development Services Manager Steven Sparks referred to the packet that had been distributed with regard to the Work Session scheduled on August 6, 2003, observing that this document is a consolidated version of the Design Review text discussed at the prior Work Session.

Commissioner Maks advised Mr. Sparks that three members of the Planning Commission are scheduled to be absent on August 6, 2003.

Noting that he is aware that the entire Planning Commission would not be available, Mr. Sparks pointed out that because the Public

1 Hearing for this Text Amendment is scheduled for August 27, 2003, it
2 is necessary to decide whether to go ahead with the Work Session.

3
4 Following a brief discussion, Chairman Barnard noted that while
5 Commissioners Bliss, Maks, Voytilla, and Winter would be available
6 for the Work Session, Commissioners Johansen and Pogue and himself
7 would be absent.

8
9 **NEW BUSINESS:**

10
11 Chairman Barnard opened the Public Hearing and read the format for
12 Public Hearings. There were no disqualifications of the Planning Com-
13 mission members. No one in the audience challenged the right of any
14 Commissioner to hear any of the agenda items, to participate in the
15 hearing or requested that the hearing be postponed to a later date. He
16 asked if there were any ex parte contact, conflict of interest or disquali-
17 fications in any of the hearings on the agenda. There was no response.

18
19 **PUBLIC HEARINGS:**

20
21 **I. CU 2003-0003 – BEACH SHACK HOURS OF OPERATION**

22 The applicant requests Conditional Use approval to extend the allowed
23 hours of operation for the existing Beach Shack Restaurant from 10:00
24 p.m. to 1:00 a.m.

25
26 All Commissioners indicated that they had visited or were familiar
27 with the site and had not had any contact with any individual(s) with
28 regard to this application.

29
30 On behalf of Associate Planner Liz Shotwell, Mr. Sparks presented the
31 Staff Report and briefly described the application for a Conditional Use
32 to operate the restaurant beyond the hour of 10:00 p.m., specifically
33 until 1:00 a.m. Concluding, he pointed out that applicable approval
34 criterion of Development Code Section 40.10.15.3.C has been met,
35 recommended approval, and offered to respond to questions.

36
37 Commissioner Bliss made a correction to line 12 of the middle
38 paragraph of page 11 of the Staff Report, as follows: "...the Beach
39 Shack Restaurant and Bar that has been reporteded since the restaurant
40 opened..."

41
42 Commissioner Winter made a correction to line 6 of the last paragraph
43 of page 6, as follows: "...located on the site: Beach Shack Restaurant
44 and Bar, Elmer's Theater Restaurant, Washington..."

1 Chairman Barnard requested the applicant's presentation.

2
3 Mr. Sparks observed that the applicant had stated that the application
4 speaks for itself and chosen not to attend the meeting.

5
6 **PUBLIC TESTIMONY:**

7
8 **MARK PERNICONI**, Vice-President of *C. E. John Company*,
9 expressed his support of the application, expressing his opinion that
10 this proposal is compatible with the other development occurring in the
11 area. He suggested that although he is not the applicant, the
12 Commission might find it appropriate to consider extending the hours
13 until 2:00 a.m., rather than 1:00 a.m., consistent McGrath's
14 Restaurant, which had received approval to operate until that hour.

15
16 Commissioner Johansen noted that while the extended hours
17 suggested by Mr. Perniconi would be consistent with other business in
18 the area, he is reluctant to take this action without an applicant to
19 make this request.

20
21 Mr. Sparks indicated that he had no further comments with regard to
22 this application.

23
24 Assistant City Attorney Ted Naemura indicated that he had no
25 comments or questions with regard to this proposal.

26
27 The public portion of the Public Hearing was closed.

28
29 Expressing his opinion that the proposal is fairly straightforward and
30 would create no undue hardship for the neighborhood or the commun-
31 ity, Commissioner Winter expressed his support of the application.

32
33 Commissioner Johansen stated that although the proposal would be
34 easy to deny due to the lack of an applicant, he has no issues and
35 would support a motion to approve this application. He explained that
36 he would like to discuss the extra hour suggested by Mr. Perniconi
37 with the applicant, as well as his concern with the location of
38 Neighborhood Meetings. However, since the applicant is not present,
39 this is not possible.

40
41 Observing that the application meets applicable approval criteria and
42 that he has no issues, Commissioner Pogue expressed his support of
43 this proposal.

44

1 Commissioner Bliss stated that he has no issues with this application
2 and that it meets applicable approval criteria, adding that he would
3 support a motion for approval.

4
5 Commission Mays pointed out that he supports approval of the
6 application, adding that he does not believe that it is necessary to
7 receive a request from the applicant to extend the hours beyond those
8 originally requested. He expressed his opinion that a very vibrant
9 area is being created, noting that Comprehensive Plan Criteria 3.10.E
10 with regard to Corridor Development would be better served by
11 extending the hours until 2:00 a.m., rather than 1:00 a.m.

12
13 Chairman Barnard expressed his support of the application.

14
15 Commissioner Mays **MOVED** and Commissioner Winter **SECONDED**
16 a motion to **APPROVE** CU 2003-0003 – Beach Shack Hours of Opera-
17 tion Conditional Use, based upon the testimony, reports and exhibits,
18 and new evidence presented during the Public Hearings on the matter,
19 and upon the background facts, findings and conclusions found in the
20 Staff Report dated July 23, 2003, as amended, and including
21 Conditions of Approval Nos. 1 through 3, amended, as follows:

- 22
23 3 The Conditional Use permit granted shall be applicable to the
24 Beach Shack restaurant building, located on Washington County
25 Assessor's Map 1S1-0900, Tax Lot 200. The extended hours of
26 operation approved for the restaurant are for operation between
27 10:00 p.m. to ~~1:00~~ **2:00** a.m., seven days a week.

28
29 Emphasizing that the burden of proof is on the applicant and that no
30 justification is provided in writing or in testimony by the applicant, he
31 does not support the application with the revised hours of operation
32 until 2:00 a.m., Commissioner Johansen expressed his opinion that
33 this action would convey an inappropriate message with regard to
34 making decisions based upon lack of information.

35
36 Commissioner Bliss stated that he agrees with Commissioner
37 Johansen, adding that the applicant should have asked for extended
38 hours until 2:00 a.m.

39
40 Observing that he understands Commissioner Johansen's initial
41 concern and that he is not very happy with the applicant either,
42 Commissioner Mays pointed out that the extension of hours runs with
43 land. He emphasized that the City of Beaverton is attempting to
44 create a vibrant community in that area, and expressed his opinion
45 that it would be feasible to move towards this goal.

Commissioner Pogue noted that there is no applicable criterion that has not been met with regard to extending the hours until 2:00 a.m.

Commissioner Johansen reiterated that the burden of proof is on the applicant, observing that there has been no opportunity to ask questions.

Chairman Barnard agreed with Commissioner Johansen, noting that there had been no presentation to address security or activity issues.

Motion **CARRIED** by the following vote:

AYES:	Maks, Winter, Pogue, and Barnard.
NAYS:	Bliss and Johansen.
ABSTAIN:	None.
ABSENT:	Voytilla.

7:27 p.m. until 7:29 p.m. – recess.

II. TA 2003-0003 – BEAVERTON DEVELOPMENT CODE OMNIBUS AMENDMENTS

Annual omnibus text amendments to selected sections of the Beaverton Development Code currently effective through Ordinance 4248 (April 2003) to clarify approval criteria, specify the applicability of certain regulations to different types of applications, relocate certain sections and remove non-applicable sections from the Code. Affected chapters of the Development Code include Chapter 20 (Land Uses), Chapter 40 (Applications), and Chapter 50 (Procedures).

Mr. Sparks presented the Staff Report, briefly described the application proposing several amendments to the Development Code, and mentioned late mail that had been received, as follows:

- Walt Knapp, regarding suggested changes to Section 60.60 of the Development Code, received July 29, 2003; and
- Facsimile with regard to suggested changes to the Corridor – Multiple Use zoning district, from Steven Topp, dated July 30, 2003. He observed that staff is prepared to discuss these relatively minor changes.

Commissioner Maks observed that while page 5 of the Staff Report indicates that on July 14, 2003, the City Council had directed staff to amend the Development Code to conditionally allow Eating and

1 Drinking Establishment uses in the Campus Industrial (CI) zoning
2 district, which would allow restaurants to occupy up to ten percent of
3 the land area in a Development Control Area as a conditional use, page
4 10 of the Staff Report with regard to Goal One – Citizen Involvement
5 indicates that the majority of the notices were mailed out on July 7,
6 2003, rather than July 14, 2003. He pointed out that it is necessary to
7 make certain that the general notification requirements had been met.

8
9 Mr. Sparks explained that staff had reviewed and determined that the
10 notice was broad enough to include what they felt was reasonable to
11 include with the Omnibus amendments.

12
13 Referring to page 4 of 36, specifically the last portion of the purpose
14 statement, Commissioner Maks noted that he would like to eliminate
15 the reference to the suburban southwest market area of the Portland
16 Metropolitan area.

17
18 Mr. Sparks advised Commissioner Maks that this particular text is a
19 carbon copy from the TCSR that had been prepared in the past.

20
21 Commissioner Maks requested clarification with regard to the location
22 of this information within the Development Code.

23
24 Observing that this information is located within the Commercial
25 zoning section, Mr. Sparks advised Commissioner Maks that this texts
26 starts on page LU-60. He suggested that this section should be edited
27 to eliminate the reference to the Portland Metropolitan area.

28
29 Referring to page 8 of 36, specifically with regard to open air display,
30 Commissioner Maks observed that he is concerned with whether a 20-
31 foot setback is far enough.

32
33 Mr. Sparks pointed out that the 20-foot setback was sufficient in 1999,
34 expressing his opinion that he is comfortable with this setback at this
35 time. He mentioned Mr. Topp's reference to the creation of a vibrant
36 urban pedestrian environment, suggesting that this discussion should
37 focus specifically on the issue of outdoor dining.

38
39 Commissioner Maks referred to page 29 of 36, with regard to Variance,
40 specifically a change of more than 50% to the numerical Development
41 Standards for Major Pedestrian Routes specified in Section
42 20.20.60.B.3.

43

1 Observing that this is an existing standard, Mr. Sparks explained that
2 this omission had been discovered when staff had reviewed the Code
3 Update of September 2002. On question, he advised Commissioner
4 Maks that this has nothing to do with a Major Adjustment.
5

6 Commissioner Johansen noted that line 2 on page 35 of 36 should be
7 corrected, as follows: "...4248, Chapter 50 – Procedures, Section 50.90,
8 ~~EXIPATION~~ **EXPIRATION** OF A DECISION..."
9

10 Commissioner Winter noted that line 11 of the second paragraph on
11 page 5 of the Staff Report should be corrected, as follows:
12 "...opportune time to revised the Code to create a new zoning
13 district..."
14

15 Commissioner Maks pointed out that staff had indicated that they
16 would like to add a line with regard to the seating.
17

18 Observing that this issue should be discussed, Chairman Barnard
19 noted that staff has recommended that outdoor seating with regard to
20 open air display should be allowed up to the property line, as suggested
21 by Mr. Topp.
22

23 Mr. Sparks noted that he would like the opportunity to comment
24 further with regard to the issues in the correspondence following
25 public testimony.
26

27 **PUBLIC TESTIMONY:**
28

29 **WALT KNAPP** discussed his concerns with regard to the current
30 Development Code and how it pertains to trees, observing that the
31 majority of his comments address technical issues related to forestry
32 and aboriculture. He expressed his opinion that the most important
33 aspect of what he considers to be a deficiency in the Development Code
34 relates to the treatment of hazard trees.
35

36 Chairman Barnard requested clarification whether Mr. Knapp wants
37 these suggestions added to the Omnibus amendments proposed tonight
38 or would accept consideration for future amendments.
39

40 Mr. Knapp stated that while he is not certain how his suggestions
41 should be addressed, he would like to see some actual consideration of
42 some of these issues.
43

1 Mr. Sparks interjected that he had discussed these concerns with Mr.
2 Knapp, adding that he had advised him to submit his proposal to the
3 Planning Commission this evening, noting that it would be appropriate
4 to include these suggestions in the text amendment application.
5

6 Mr. Knapp referred to Development Code Section 60.60.25.1.A.5.
7

8 Mr. Sparks clarified that the format sent by Mr. Knapp included the
9 strike-outs and highlights, observing that he had made the necessary
10 conversions, resulting in two no. 2's, and pointed out that Mr. Knapp
11 should be referring to Development Code Section 60.60.25.1.A.4.
12

13 Mr. Knapp explained that under the current Development Code,
14 hazardous trees in a Significant Grove are penalized for mitigation,
15 observing that a developer is forced to pay per linear inch or mitigate
16 on-site to mitigate for a hazardous trees. He expressed his opinion
17 that this is counter-productive, noting that the City of Beaverton has
18 initiated policies with their maintenance crews and others to reduce
19 hazards to the public, emphasizing that it is in the best interest of the
20 citizens to have these hazardous trees removed and inappropriate to
21 attach a penalty to the removal of such a tree. He noted that he has
22 suggested that hazard trees shall be exempt from mitigation
23 requirements, adding that generally these trees become hazardous
24 because there are too many trees for the amount of growing space that
25 is available and that these trees would ultimately die.
26

27 Mr. Sparks clarified that Mr. Knapp is referring to hazardous trees
28 that exist within Significant Groves.
29

30 Commissioner Maks suggested the possibility of mitigating on the
31 exterior, rather than the interior, of a Significant Grove.
32

33 Mr. Knapp explained that there is typically no opportunity for
34 enhancement on the perimeter of a Significant Grove, emphasizing
35 that the development is encroaching upon this resource. He pointed
36 out that if these hazardous trees are not removed from within the
37 crowded grove, the remaining trees become taller, thinner, less stable,
38 and more vulnerable to wind throw.
39

40 Commissioner Maks pointed out that the public has difficulty
41 understanding this situation, particularly the fact that the removal of
42 a tree might actually enhance a grove, and questioned whether other
43 mitigation options might be available.
44

1 Mr. Knapp agreed, observing that one good option involves the removal
2 of invasive exotic vegetation, such as Himalayan Blackberry, English
3 Ivy, Scotch Broom, Hawthorn, and several other varieties of
4 vegetation. He pointed out that a great deal of the open space in the
5 area is totally unusable due to this invasive vegetation.

6
7 Commissioner Maks referred to removal and preservation standards,
8 observing that Mr. Knapp has suggested that Significant Groves shall
9 maintain connectivity with other areas where such conditions exist,
10 and requested a definition of the terms "other areas" and
11 "connectivity".

12
13 Mr. Knapp advised Commissioner Maks that he considers connectivity
14 in terms of forest canopy, adding that connected/overlapping forest
15 canopy does not exist and can not be maintained.

16
17 Mr. Knapp commented that he is interested in the concepts and
18 making changes rather than hung up on certain words that he had
19 submitted.

20
21 Mr. Sparks mentioned to the calculation of the Big Leaf Maple
22 example, requesting clarification with regard to how the math is done
23 on this, noting that he is not certain how the 24-inch DBH had been
24 determined.

25
26 Mr. Knapp advised Mr. Sparks that he would provide him with the
27 appropriate formula for this calculation, observing that the point of
28 measurement is generally at a height of 4.5 feet.

29
30 Referring to Development Code Section 60.60.25.1.A.2, Commissioner
31 Bliss questioned whether measurement equivalent should be
32 measurement/equivalent.

33
34 Mr. Knapp observed that measurement equivalent is two separate
35 words.

36
37 Commissioner Johansen pointed out that determining whether a tree
38 is hazardous is a subjective concept.

39
40 Mr. Knapp explained that hazardous also involves whether or not a
41 particular tree has a high probability of failure, regardless of the
42 species.

43

1 Mr. Sparks emphasized that any request to remove a Significant Tree
2 involves a Type 1 application, which is administrative and does not
3 come before the Commission. He pointed out that the removal of a
4 non-hazardous Significant Tree involves a Type 3 application, which is
5 addressed by either the Planning Commission or the Board of Design
6 Review.

7
8 Mr. Knapp clarified that nobody seems to question that the as-builts,
9 from an Engineering point of view, are different from the plans, adding
10 that adjustments are made on-site on a regular basis without being
11 presented to any decision-making body such as the Planning
12 Commission. He pointed out that any subsequent identification of a
13 hazardous tree within a Significant Grove during the process becomes
14 elevated, expressing his opinion that this creates a problem.

15
16 Mr. Sparks responded that frequently these changes do go through a
17 land use process.

18
19 Chairman Barnard questioned why a hazardous tree would not be
20 identified through a simple Type 1 application.

21
22 Mr. Sparks emphasized that under the current Development Code, any
23 time a Significant Tree is removed, mitigation is required, whether the
24 tree is hazardous or non-hazardous. He pointed out that Mr. Knapp is
25 concerned with requiring mitigation for the removal of a Significant
26 Tree that is hazardous.

27
28 Commissioner Pogue noted that the removal of a portion of a
29 Significant Grove could potentially create a hazardous tree.

30
31 Mr. Knapp pointed out that it is not appropriate to assume that every
32 tree within a Significant Grove is valuable, observing that within an
33 urban area such as Beaverton it is necessary to maintain the healthy
34 trees.

35
36 Commissioner Maks pointed out that while he understands the concept
37 of maintaining connectivity, staff should address this issue at a later
38 time through a separate Text Amendment, adding that other arborists
39 besides Mr. Knapp should be provided with an opportunity as well as
40 well.

41
42 Mr. Knapp pointed out that he had merely wanted to raise the issue
43 and had not anticipated that any action would be taken at this time.
44

1 Mr. Sparks interjected that Ms. Fryer had just advised him that it is
2 anticipated that the Goal 5 Tree Plan could be presented before the
3 Commission as early as six months from now.

4
5 Mr. Sparks discussed the written comments submitted by Steven W.
6 Topp, who represents *Gramor Development*, observing that he had
7 requested response with regard to three particular items. He pointed
8 out that the most recent Planned Unit Development (PUD) approval
9 on the Gramor site would continue to be in effect, adding that Mr.
10 Topp had requested that this information be made a part of the record
11 this evening. Referring to Mr. Topp's concern with page 8 of 36 of the
12 proposed Omnibus Amendment, he mentioned that Mr. Topp had
13 suggested that any open air display shall be set back at least 20 feet
14 from the property line, with outdoor seating allowed *up to the property*
15 *line*, subject to Board of Design Review approval.

16
17 Chairman Barnard questioned whether Mr. Sparks has any comments
18 with regard to the second item referenced by Mr. Topp, specifically the
19 method for calculating minimum residential density.

20
21 Mr. Sparks advised Chairman Barnard that he does have comments
22 with regard to the method for calculating the minimum residential
23 density.

24
25 Expressing his concern with safety issues, Chairman Barnard noted
26 that if he opened up *Bob's Burgers* on SW Canyon Road and placed the
27 tables right up to the sidewalk, these tables would be located only four
28 feet from a very busy street.

29
30 Commissioner Johansen emphasized that there would be no physical
31 separation such as a fence between the tables and the right-of-way.

32
33 Commissioner Maks pointed out that the upcoming Work Session
34 would address issues that would require *Bob's Burgers* to install a
35 fence, and noted that some of the sidewalks in downtown Portland are
36 so filled with tables that it is not possible to walk down the sidewalk.

37
38 Mr. Sparks discussed Mr. Topp's comments with regard to the method
39 for calculating minimum residential density, noting that he does not
40 agree with Mr. Topp's suggestion for addressing this only with regard
41 to residential developments. Observing that the City of Beaverton has
42 no desire to discourage Multiple Use, adding that he has some
43 suggested language to respond to Mr. Topp's suggestion, specifically
44 the addition of a new sentence, as follows: "Residential development

1 which occurs as a part of a multiple-use development shall comply with
2 the minimum density calculated below for the area where the
3 residential development is to occur.”
4

5 The public portion of the Public Hearing was closed.
6

7 Chairman Barnard noted that it is necessary to build consensus with
8 regard to specific issues, as follows:
9

- 10 • Page 4 of 36 – Commissioner Maks’ suggestion to drop the
11 reference to the Portland Metropolitan area;
12
- 13 • Page 8 of 36 – allowing outdoor seating up to the property line;
14
- 15 • Page 9 of 36 – method for calculating minimum residential
16 density, adding the following sentence: “Residential develop-
17 ment which occurs as a part of a multiple-use development shall
18 comply with the minimum density calculated below for the area
19 where the residential development is to occur.”
20

21 Commissioner Maks stated that he concurs with all of the items,
22 adding that he would like to direct staff to review Mr. Knapp’s
23 comments and incorporate them to be brought back before the
24 Commission at a later time.
25

26 Commissioner Pogue noted that he is in agreement with all four items.
27

28 Commissioner Bliss pointed out that he agrees with the suggested
29 changes that had been discussed with regard to the four issues.
30

31 Commissioner Winter expressed his concurrence with the changes to
32 all four issues.
33

34 Commissioner Johansen noted that he agrees with his fellow
35 Commissioners, adding that he supports the changes to all four items.
36

37 Chairman Barnard stated that he supports the changes to the four
38 issues.
39

40 Commissioner Maks **MOVED** and Commissioner Winter **SECONDED**
41 a motion to **APPROVE** TA 2003-0003 – Beaverton Development Code
42 Omnibus Amendments, based upon the testimony, reports and
43 exhibits, and new evidence presented during the Public Hearings on

the matter, and upon the background facts, findings and conclusions found in the Staff Report dated July 23, 2003, amended, as follows:

- Page 4 of 36, lines 9 through 12: “1. **Purpose.** The Corridor Multiple Use “C-MU” District is intended to allow the Corridor to develop into a multiple use employment and service centers ~~for the suburban southwest market area of the Portland Metropolitan area.~~”
- Page 8 of 36, lines 20 through 43: “3. **Open Air Display:** Where permitted, open air sales/display/storage of merchandise shall be setback at least 20 feet from the ~~front~~ property line. Outdoor seating is allowed up to the property line. The area shall be designated and subject to Board of Design Review approval.”
- Page 9 of 36, lines 3 through 4: “New residential development in a Corridor zoning district must comply with the minimum density calculated below. Residential development which occurs as a part of a multiple-use development shall comply with the minimum density calculated below for the area where the residential development is to occur. Attached dwellings must...”

Commissioner Johansen referred to the amendment on page 4 of 36, expressing his concern with the grammar of the purpose statement, and suggested a friendly amendment, as follows:

- Page 4 of 36, lines 9 through 12: “1. **Purpose.** The Corridor Multiple Use “C-MU” District is intended to allow ~~the~~ Corridors to develop into ~~a~~ multiple use employment and service centers ~~for the suburban southwest market area of the Portland Metropolitan area.~~”

Commissioner Maks **ACCEPTED** the friendly amendment to his motion.

Commissioner Winter **SECONDED** the friendly amendment to the motion.

Motion, as amended, **CARRIED** by the following vote:

AYES:	Maks, Winter, Bliss, Johansen, Pogue, and Barnard.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Voytilla.

1 8:45 p.m. – Mr. Sparks left.
2

3 **III. CPA 2003-0008 – CORRIDOR – MULTIPLE USE**
4 **COMPREHENSIVE PLAN AMENDMENT**

5 The intent of the proposed Comprehensive Plan Amendment is to add
6 the Corridor – Multiple Use (C-MU) zoning district as an implement-
7 ing zone for the Corridor designation in Section 3.14 Comprehensive
8 Plan and Zoning District Matrix. In addition, this Comprehensive
9 Plan Amendment includes deleting Figure III-6: Area of Town Center
10 Sub Regional Zoning District Applicability. Proposed Zoning Map
11 Amendment (ZMA 2003-0010) removes all properties shown on Figure
12 III-6 from the Town Center Sub Regional (TC-SR) zoning district, and
13 adds them to the Corridor – Multiple Use zoning district. ZMA 2003-
14 0010 removes the Town Center – Sub Regional zone from the Zoning
15 Map. This proposed CPA will provide consistency between the City's
16 Comprehensive Plan and Development Code.
17

18 **IV. ZMA 2003-0010 – MURRAY SCHOLLS ZONING MAP**
19 **AMENDMENT**

20 The purpose of the application is to apply the zoning district that is
21 appropriate to implement the Corridor Comprehensive Plan designa-
22 tion for specific properties that went into effect on February 7, 2002.
23 The properties are now zoned Town Center – Sub Regional (TC-SR),
24 Town Center – Multiple Use (TC-MU), and Light Industrial (LI). The
25 12 affected properties are proposed to change to Corridor – Multiple
26 Use (C-MU), which is a multiple use district being proposed through
27 Text Amendment TA 2003-0003. The Corridor – Multiple Use district
28 is intended to mirror the regulations of the Town Center – Sub Region-
29 al District with two exceptions: 1) utility transmission lines will be a
30 permitted use; and 2) utility installations other than transmission
31 lines will be a conditional use. Other specific uses allowed by the pro-
32 posed zoning district can be referred to in the Beaverton Development
33 Code (reference Town Center -- Sub Regional zoning district).
34

35 Associate Planner Suzanne Carey presented the Staff Reports and
36 briefly described the purpose of both applications, observing that the
37 required public notification had been provided and that no public
38 comments with regard to either application had been received.
39

40 Commissioner Bliss requested clarification with regard to revised
41 project area ZMA, observing that it had been his understanding that
42 the Sub-Regional district would be eliminated.
43

1 Ms. Carey explained that Commissioner Bliss is actually referencing
2 the current zoning districts, observing that the proposed map is located
3 on page 2.

4
5 Senior Planner Barbara Fryer clarified the difference between the
6 current and proposed zoning.

7
8 Commissioner Bliss questioned whether a map exists that represents
9 what has been recommended by staff.

10
11 Ms. Fryer advised Commissioner Bliss that this specific map does not
12 exist, expressing her opinion that the map on Exhibit 1 is very clear.

13
14 Commissioner Bliss questioned why there is a text box for a new map.

15
16 Chairman Barnard clarified that Commissioner Bliss would like to
17 know if this map would actually be reproduced and entered into the
18 text.

19
20 Ms. Fryer emphasized that this map is solely for the purposes of the
21 Planning Commission, adding that an additional map would be
22 prepared for the City Attorney's Office to insert into an actual
23 Ordinance that would designate the new zoning district.

24
25 Staff had no further comments with regard to these applications.

26
27 Mr. Naemura indicated that he had no comments or questions with
28 regard to these applications.

29
30 **PUBLIC TESTIMONY:**

31
32 No member of the public testified with regard to these applications.

33
34 The public portion of the Public Hearing was closed.

35
36 Commissioners Winter, Pogue, Bliss, Johansen, and Maks, and
37 Chairman Barnard all expressed their opinion that the applications
38 meet applicable approval criteria, observing that they would support a
39 motion for approval.

40
41 Commissioner Winter **MOVED** and Commissioner Bliss **SECONDED**
42 a motion to **APPROVE** CPA 2003-0008 – Corridor – Multiple Use
43 Comprehensive Plan Amendment, based upon the testimony, reports
44 and exhibits, and new evidence presented during the Public Hearings

on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated July 23, 2003.

Motion **CARRIED** by the following vote:

AYES:	Winter, Bliss, Johansen, Maks, Pogue, and Barnard.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Voytilla.

Commissioner Winter **MOVED** and Commissioner Bliss **SECONDED** a motion to **APPROVE** ZMA 2003-0010 – Murray Scholls Zoning Map Amendment, based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated July 23, 2003.

Motion **CARRIED** by the following vote:

AYES:	Winter, Bliss, Johansen, Maks, Pogue, and Barnard.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Voytilla.

APPROVAL OF MINUTES:

Minutes of the meeting of June 25, 2003, submitted. Commissioner Bliss requested that line 18 of page 15 be amended, as follows: “Mr. Winship stated that he has ~~had~~ not had a conversation with staff...” Commissioner Johansen requested that line 33 of page 13 be amended, as follows: “...~~with~~ meeting DEQ’s noise standards due to the cost of the testing.” Commissioner Johansen **MOVED** and Commissioner Bliss **SECONDED** a motion that the minutes be approved as amended.

Motion **CARRIED**, unanimously, with the exception of Commissioner Maks, who abstained from voting on this issue.

MISCELLANEOUS BUSINESS:

The meeting adjourned at 8:58 p.m.